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Patrick Byrne

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ROBERT HUNTER BIDEN, an
individual,

Plaintiff,

vs.

PATRICK M. BYRNE, an individual,

Defendant.

Case No.: 2:23-cv-09430-SVW-PD
Judge: Honorable Stephen V. Wilson
Courtroom: "10A"

Complaint Filed: November 8, 2023

**DEFENDANT'S SUR REPLY IN
SUPPORT OF HIS MOTION IN
LIMINE NO. 6 TO EXCLUDE
TESTIMONY OR EVIDENCE OF
DEFENDANT'S FINANCIAL
CONDITION; MEMORANDUM OF
POINTS AND AUTHORITIES IN
SUPPORT THEREOF**

Date: July 21, 2025
Time: 3:00 p.m.
Courtroom: "10A"

1.

**DEFENDANT'S SUR REPLY IN SUPPORT OF HIS MOTION IN LIMINE NO. 6; MEMORANDUM OF POINTS
AND AUTHORITIES IN SUPPORT THEREOF**

TO ALL PARTIES AND THEIR ATTORNEY'S OF RECORD:

Defendant Patrick Byrne hereby files his sur reply in support his motion in limine to prevent Plaintiff from introducing any evidence of Defendant's financial condition.

MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

Plaintiff has once again filed a nearly-identical "supplemental" brief to oppose Defendant's motion. The only "substantive" change is the fact that the parties have both requested bifurcation of the liability and damages phases of trial. However, Plaintiff maintains, contrary to the law, that evidence of Defendant's financial condition is relevant. Plaintiff ignores the fact that Defendant only conceded that point on the issue of punitive damages. Defendant maintained, and still maintains that by law, this evidence is absolutely irrelevant to the issues of liability and actual malice of defamation. Presenting such evidence during Plaintiff's case in chief *before* the jury has made a finding of liability is incredibly prejudicial. To save the Court time, Defendant incorporates all his arguments in the moving and reply papers as if fully set forth herein.

Defendant therefore respectfully requests that the Court grant this motion.

II. LEGAL ARGUMENT

A. Defendant's Motion Should be Granted.

Defendant incorporates all his arguments in his moving and reply papers. Defendant further incorporates his arguments from his Sur Reply In Support of Motion in Limine No. 5 because Plaintiff has filed a substantially identical brief to briefs he filed before without permission of the Court.

III. CONCLUSION

Based on the foregoing, Defendant respectfully requests that this Court grant this Motion. Plaintiff concedes in his most recent version of his memorandum of contentions and facts that there should be a bifurcation of liability from punitive

1 damages. Plaintiff should be held to his concessions and not be allowed to change
2 his mind during the jury trial of this case.

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4 Dated: July 7, 2025

LAW OFFICES OF MICHAEL C. MURPHY

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6 By: /s/ Michael C. Murphy, Esq.

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